

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 MONICA LEE, an individual, )

4 Plaintiff, )

5 vs. )

Case No.: 2:11-cv-01473-GMN-CWH

6 BAC HOME LOANS SERVICING, LP; )  
7 MERSCORP, INC., et al., )

8 Defendants. )  
9

**ORDER**

10 Pending before the Court is Defendants' Motion to Dismiss (ECF No. 17). Plaintiff has filed  
11 no opposition to the motion.

12 Pursuant to Local Rule 7-2(b), the failure of an opposing party to file points and authorities in  
13 response to any motion shall constitute consent to the granting of the motion.

14 Although a court may grant the Motion to Dismiss for failure to follow local rules, the Court  
15 must first consider five factors: (1) the public's interest in expeditious resolution of litigation; (2) the  
16 court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy  
17 favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions. *Ghazali*  
18 *v. Moran*, 46 F.3d 52 (9th Cir. 1995). The Court has considered these factors and finds that Plaintiff  
19 has received ample notice and time within which to respond. The Court also finds that consideration  
20 of these five factors weighs in favor of granting Defendants' Motion to Dismiss.

21 Accordingly,

22 **IT IS HEREBY ORDERED** that Defendants' Motion to Dismiss (ECF No. 17) is  
23 **GRANTED.**

24 DATED this 5th day of January, 2012.

25   
Gloria M. Navarro  
United States District Judge